

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**JERRY JACKSON,**

**Appellant,**

**v.**

**STAHL SPECIALTY CO.,**

**Respondent.**

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**DOCKET NUMBER WD70909**

**Date: March 30, 2010**

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Appeal from:  
Labor and Industrial Relations Commission

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Appellate Judges:  
Division One: Lisa White Hardwick, Presiding Judge, James M. Smart, Jr. and Alok Ahuja,  
Judges

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Attorneys:  
Rick E. Koenig, Esq., Sedalia, MO, for appellant.  
Anne Wickliffe, Esq., Kansas City, MO, for respondent.

# **MISSOURI APPELLATE COURT OPINION SUMMARY**

## **COURT OF APPEALS -- WESTERN DISTRICT**

**JERRY JACKSON**

**Appellant,**

**v.**

**STAHL SPECIALTY CO.,,**

**Respondent.**

WD70909

Labor and Industrial Relations Commission

Before Division One Judges: Lisa White Hardwick, Presiding Judge, James M. Smart, Jr. and Alok Ahuja, Judges

Jerry Jackson filed a motion to approve a settlement of his workers' compensation claim against Stahl Specialty Company, after Stahl refused to go forward with a settlement to which Jackson contended Stahl had previously agreed. An Administrative Law Judge ("ALJ") in the Division of Workers' Compensation denied the motion, concluding that he lacked authority to resolve the parties' dispute as to whether they had in fact agreed to a binding settlement. The Labor and Industrial Relations Commission dismissed Jackson's application for review on the ground that it lacked statutory authority to review the ALJ's order. Jackson appeals.

**DISMISSED.**

**Division One holds:**

Because we lack appellate jurisdiction over the Commission's interlocutory ruling, we dismiss.

We have no appellate jurisdiction in workers' compensation cases except as expressly conferred by statute. Section 287.495, RSMo, limits this Court's appellate jurisdiction to the review of "final awards" of the Commission. Finality is found when the commission arrives at a terminal, complete resolution of the case before it.

Here, the Commission has not issued a final, complete, and terminal disposition of Jackson's workers' compensation claim. Instead, Jackson continues to receive temporary total disability benefits and medical treatment, and his workers' compensation claim remains pending in the Division of Workers' Compensation. There has accordingly been no "final award" entered

by the Commission on Jackson's workers' compensation claim, and we therefore lack jurisdiction to review the Commission's order by appeal. *See Smith v. Semo Tank & Supply Co.*, 99 S.W.3d 11, 13 (Mo. App. E.D. 2002).

**Opinion by: Alok Ahuja, Judge**

March 30, 2010

<b>THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.</b>
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